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UNCLAS SECTION 01 OF 02 KAMPALA 000846

DEPARTMENT PASS TO MCC (CHAKA)  
DOJ FOR OPDAT (ALEXANDRE, SILVERMAN, EHRENSTAMM AND LAHAIE)

SENSITIVE  
SIPDIS

E.O. 12958: N/A  
TAGS: [PGOV](#) [PHUM](#) [EAID](#) [KCOR](#) [UG](#)  
SUBJECT: UGANDA: OFFICE BREAK-IN LINKED TO SUCCESSFUL GLOBAL FUND  
PROSECUTIONS

REF: A. Kampala 523, B. Kampala 444

11. (SBU) Summary: Two more Ugandans were sentenced to five years imprisonment and ordered to pay 30 million Ugandan shillings (\$14,000) in restitution in the latest Global Fund conviction. As news of the conviction spread, several suspects rushed to repay stolen funds in hopes of negotiating immunity. Others, in hopes of stalling further prosecutions, broke into the office of the Directorate of Public Prosecutions (DPP) and stole computers, hard drives, and other material related to the Global Fund embezzlement investigation. DDP officials quietly suspect Uganda Police Force involvement in the break-in, but details surrounding the incident remain unclear. Regardless, DPP Global Fund prosecutions are expected to continue. End Summary.

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Two More Convicted in Global Fund Theft Case  
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12. (U) Elizabeth Ngororano and Annaliza Mondon were found guilty on July 14 of embezzlement and 21 counts of uttering false documents in the latest prosecution for thefts from the Global Fund for HIV/AIDS, Tuberculosis and Malaria (Global Fund - see reftels for background). They were sentenced to five years for embezzlement and received concurrent two-year sentences for uttering false documents. Both were ordered to pay restitution of 30 million shillings (\$14,000) and were remanded into custody immediately. In announcing his decision, Judge Katutsi of the High Court's newly created Anti-corruption Division (ACD) commented that "this is yet another case where greed has taken an upper hand in administering of public funds." Judge Katutsi rejected the defense's argument that it was a mistake as "nonsense," dismissing it with "the utmost contempt it deserves."

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Convictions Send Clear Message, Though Reactions Differ  
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13. (U) As news of the latest convictions spread, several suspects rushed to repay stolen Global Funds in hopes of gaining immunity from prosecution. Since the July 14 conviction of Ngororano and Mondon, DPP officials reported that there had been more than seven instances where suspects repaid funds ranging from 20 million to 65 million Ugandan shillings. However, the DPP has made no agreements to drop its investigations or prosecutions against any of the Global Fund targets, even if restitution is paid.

14. (SBU) As DDP officials celebrated another successful conviction and what many hoped would be perceived as a tough message on corruption, at least one well-connected mystery suspect was resolute that justice would not take its course. On July 8, several individuals broke into DPP offices to steal Global Fund investigative materials. Using five different keys that were only provided to staff, the burglars entered the unmarked Global Fund

investigation room, removed computer hard drives, and took CPU chips that contained scanned copies documentary evidence. A laptop from the DPP Director's office and his secretary's hard drive were also taken. However, they failed to steal the server which backed-up all the files, the physical DPP files, and the prosecution memos outlining the charges, case theories, and analysis of possible defenses.

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Some in DPP Quietly Suspect Police Involvement  
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15. (SBU) While the details surrounding the DPP office break-in remain unclear, DPP officials quietly suspect Uganda Police Force (UPF) involvement. Several months ago, high-ranking police officials asked the DPP to return some of the Global Fund files to the UPF. Shortly after the DPP refused to release the files, a major reorganization of the UPF's Criminal Investigation Division (CID) resulted in the transfer and reassignment of the commanders and many personnel of the Anti-Corruption Units. The investigators assigned to the joint CID/DPP Global Fund investigative teams were also transferred with the replacements having no familiarity with the Global Fund cases. When the police restructuring did not stall the DPP investigations, some allege, 960 million Ugandan shillings allocated to the DPP to carryout the Global Fund investigation vanished from its bank account. The money was traced to the Ministry of Internal Affairs, which is responsible for the UPF. From there, the money seems to have disappeared. An investigation has been initiated, but the money has yet to be returned to the DPP's account.

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Comment  
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16. (SBU) The latest convictions might be changing the way corruption cases are handled in Uganda. Quick trials, findings of guilt, lengthy prison sentences, and orders for full restitution were unheard of before the creation of the ACD. Since its inception, and with substantial support from the USG under the Millennium Challenge Account Threshold Program, the ACD has concluded three separate trials and found all four persons guilty, sentenced each to imprisonment from five to ten years, and ordered repayment of all stolen funds. This has clearly shaken-up a few well-connected individuals who fear that they could be next. The DPP will have to institute stronger security measures to safeguard the remaining materials, but is expected to move forward with more prosecutions.

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